

WORKERS' COMPENSATION AND RESPONSIBILITIES OF CAL FIRE EMPLOYEES

1910

(No. 50 March 2004)

The purpose of Section 1910 is to provide a better understanding of the Workers' Compensation System in relation to any disability resulting from a work related injury and/or illness. These sections will: (a) provide a guidance in initiating medical care for ill or injured employees, and (b) describe the reporting requirements for the "Employee's Claim for Workers' Compensation Benefits" (DWC 1/SCIF 3301), "Employer's Report of Occupational Injury or Illness" (CAL FIRE-3067), and the "Department of Forestry Report of Inmate Occupational Injury or Illness" (CAL FIRE 3579).

INJURED WORKER RESPONSIBILITIES

1910.1

(No. 50 March 2004)

Any person working for CAL FIRE as an employee, volunteer, Emergency Worker I-VII, inmate, or ward, is generally considered a CAL FIRE employee for workers' compensation benefits.

Employee responsibilities include:

- Any CAL FIRE employee that is injured on the job is to promptly report the incident to his/her supervisor. If any co-worker witnesses an injury and the injured person is unable to report the incident, the co-worker is to notify the injured worker's supervisor.
- Attend medical appointments and comply with recommended treatments.
- Provide the medical provider with an Essential Functions Duty Statement ([PO-199](#)), CAL FIRE physical/mental stress job description (if the employee is in Bargaining Unit 8), and a Medical Treatment/Return-To-Work ([CAL FIRE-200](#)) at every appointment. The employee must complete the employee section at the end of the CAL FIRE-200. These documents can be obtained from the supervisor or are available on the CAL FIRE Intranet.

The treating physician must complete a CAL FIRE-200 Medical Treatment/Return-To-Work form (with the appropriate attachments) after every visit and before returning an employee to work. The employee provides the completed form to his or her supervisor or Return-To-Work Coordinator.

If work restrictions are identified or the employee has been off work for beyond the employee's work shift at the time of the injury, a CAL FIRE-200 Medical Treatment/Return-To-Work form is required prior to returning the employee to work. If an employee is returned to work with restrictions and modified duty is required, a CAL FIRE-200A Modified Work Agreement must be completed by the employee and supervisor to document the modified work assignment. A copy of both forms shall be sent to the Unit's Return-To-Work Coordinator and Regional Return-To-Work Coordinator. (These forms are available on the CAL FIRE Intranet, under the Safety & Health Webpage, [Forms](#), Workers Compensation, or under the Electronic Forms, [CAL FIRE Forms](#))

- Keep the supervisor, Unit Personnel Specialist, and Return-To-Work Coordinator advised of medical provider's advice concerning return to work status/return to work date on a weekly basis, or as otherwise instructed by the supervisor.
- Return to work as soon as it is medically feasible.
- Turn in all paperwork on time. Complete and return all relevant paperwork regarding work related injuries and illnesses, e.g. time sheets, doctor notes, DWC 1/SCIF 3301 Employee's Claim for Workers' Compensation Benefits, CAL FIRE-200 Medical Treatment/Return-To-Work forms, work status reports, etc. to your supervisor and/or Return-To-Work Coordinator.
- Review and/or complete the Emergency Notification Information form (CAL FIRE-31). On this form employees may designate their personal physician or personal chiropractor who has treated the employee in the past and has their medical or chiropractic treatment records. **If prior to a work-related injury or illness, the employee has given the employer written notice of the name of their personal physician or personal chiropractor who maintains the records of prior care, then the employee may go to this doctor for treatment immediately after the injury.**
- See Health and Safety Handbook Section Accident Prevention Program Responsibilities, Section [1702.3](#), Employee's Responsibility, for additional responsibilities.

SUPERVISOR RESPONSIBILITIES 1910.2

(No. 60 December 2006)

A supervisor is defined as: (a) the immediate supervisor or (b) the person responsible for the general health and welfare of the worker at the time of injury or illness. The supervisor is to take the following actions:

- Ensure that any cause of the injury/accident is no longer a danger.

- In the case of a death or serious injury, the supervisor must notify the appropriate Emergency Command Center (ECC) **IMMEDIATELY**. The ECC will notify the coroner if needed; CAL-OSHA as soon as possible but no later than 8 hours afterward; CAL FIRE Departmental Safety Officer; SCIF; and appropriate department personnel. (See Health and Safety, Death or Serious Injury Reporting, [Section 1715](#)).
- If possible, ensure that the worker receives medical attention from: (a) a member of CAL FIRE's medical staff, (b) a medical provider designated by CAL FIRE to provide emergency medical treatment (from posted SCIF 621), or (c) the employee's personal medical provider, if so pre-designated. For information on pre-designated medical providers for employees and student assistants refer to the employee's
- [CAL FIRE-31](#), Emergency Notification Information.

For inmates, see CAL FIRE-CDC Camp Operations Procedures Handbook 6400, Sections [6453-6457](#).

For wards, see CAL FIRE-CYA Camp Operations Procedures Handbook 6200, Sections [6251-6256](#).

For volunteers or contract workers, secure the assistance of the Compensation and Claims Unit Leader on emergency incidents, or the Return-To-Work (RTW) Coordinator in the Administrative Unit or Headquarters RTW Coordinator.

- Ensure that any necessary first aid and/or medical treatment is administered. Treatment may require transportation by whatever mode is dictated by the situation, e.g. state vehicle, ambulance, taxi.
- If the supervisor does not know who is responsible for transportation and/or medical care costs, the supervisor is to assist the injured worker in a manner that ensures that: (1) he or she receives all needed services; and (2) the appropriate agency or individual is charged for the services provided. For information regarding inmates and wards, see CAL FIRE-CDC Camp Operations Procedures Handbook 6400, Sections 6453-6457; CAL FIRE-CYA Camp Operations Procedures Handbook 6200, Sections 6251-6256; Incident Fiscal Management Procedures Handbook 3800, Sections [3850-3856](#).
- Ensure that the injured worker is accompanied to and from the medical care facility when feasible and appropriate.
- Ensure that CAL FIRE management and the proper authorities receive notice about the injury and/or accident and the proper documentation has been completed as appropriate. (See Command and Control Handbook 8100, [Procedure #800](#), [#205](#); Health and Safety Procedures Handbook 1700, Sections

[1715](#), [1718](#), and [1852.5](#); and Incident Fiscal Management Procedures Handbook 3800, Sections [3850-3856](#).)

- Ensure that proper documentation has been completed and processed as appropriate. (See Health and Safety Procedures Manual, Sections [1710-1715](#), [1718](#), and [1852.5](#), and when appropriate State Administrative Manual, Section 2580.)
- Maintain contact with the injured or ill employee to assist in their return to work. Discuss return to work options with the Unit and/or Region Return-To-Work Coordinator and/or other appropriate CAL FIRE staff.
- Complete and/or forward all relevant paperwork regarding an employee's injury or illness, e.g. time sheets, doctor notes, CAL FIRE-3067 Employer's Report of Occupational Injury or Illness or for inmates, the CAL FIRE-3579 Department of Forestry Report of Inmate Occupational Injury or Illness, etc., to the Unit's Return-To-Work Coordinator and/or Region Return-To-Work Coordinator.
- See Health and Safety Procedures Manual, Sections [1702.1](#) and 1702.2 for additional responsibilities.
- When appropriate, ensure that the injured worker's family is notified of the situation. For employees and student assistants, refer to his or her CAL FIRE-31, on file in their personnel Unit.
- For reportable injuries or illnesses, provide the injured or ill employee, designee or next of kin with the DWC 1/SCIF 3301 Employee's Claim for Workers' Compensation Benefits within 24 hours of knowledge of an alleged or witnessed work-related injury or illness.

For non-reportable injuries or illnesses, complete blocks #51B and #52 through #70 on the backside of the CAL FIRE 3067 and submit to the Administrative Unit RTW Coordinator within five calendar days from the event.

UNIT RETURN-TO-WORK COORDINATOR'S RESPONSIBILITIES

1910.3

(No. 50 March 2004)

The Unit Return-To-Work Coordinator may be the Unit's Administrative Officer. However, these duties may be delegated to another person.

To meet their responsibilities within the department's occupational safety and health programs, Unit Return-To-Work Coordinators or Sacramento Headquarters Return-To-Work Coordinator must:

Maintain contact with injured or ill employees and the Region Return-To-Work Coordinator to assist employees in returning to work.

- Unless delegated to the Region Return-To-Work Coordinator, advise the employee of his or her eligibility for employment benefits, including catastrophic time bank and any other bargained benefits.
- Coordinate work options for injured or ill employees with the Region Return-To-Work Coordinator. Refer to Personnel Procedures Handbook Section [1823.6.1](#) for criteria and documentation procedures on Reasonable Accommodation.
- For safety employees, obtain a current CAL FIRE Physical/Mental Stress Job Descriptions, for submission to the medical provider to review when evaluating the employee's ability to return to work.

REGION RETURN-TO-WORK COORDINATOR'S RESPONSIBILITIES

(No. 50 March 2004)

The Region Return-To-Work Coordinators manage the workers' compensation claims in the Region and may also coordinate benefits for non-industrial injury or illness.

To meet their responsibilities within the department's occupational safety and health programs, Region Return-To-Work Coordinators must:

- Maintain contact with injured or ill employees and the Unit Return-To-Work Coordinator to assist employees in returning to work. Request the aid of a Unit liaison or the CAL FIRE Medical Consultant to assist with complex or traumatic injuries or illnesses.
- Unless delegated to the Unit Return-To-Work Coordinator advise the employee of his or her eligibility for employment benefits, including catastrophic time bank, other bargained benefits, and when appropriate, separation, alternate positions and retirement options.

- Discuss return to work options with employees and Unit Return-To-Work Coordinators.
- Refer to Health and Safety Handbook Section [1823.6.1](#) on Reasonable Accommodation for employees who are unable to perform the essential functions of the position or if significant change to the position duties are necessary to accommodate their return to work.
- Engage in the interactive process with the injured or ill employee when issues regarding return to work arise.
- Coordinate workers' compensation benefits with State Compensation Insurance Fund, Unit Return-To-Work Coordinators and personnel staff. Actively manage and finalize workers' compensation claims.
- Unless delegated to the Unit Return-To-Work Coordinator maintain a supply of current CAL FIRE Physical/Mental Stress Job Descriptions for distribution to Bargaining Unit 8 employees in safety classifications. The medical provider must review this document when evaluating an employee's ability to return to work.
- Coordinate with Headquarters Transactions unit when an employee who has retired due to a disability or medical condition requests reinstatement.

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